



30 AUG 2006

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

WENDEROTH, LIND & PONACK, L.L.P.
2033 K STREET N. W.
SUITE 800
WASHINGTON DC 20006-1021

In re Application of	:	DECISION
KATAYAMA et al.	:	
Application No.: 10/552,509	:	
PCT No.: PCT/JP04/05130	:	
Int. Filing Date: 09 April 2004	:	
Priority Date: 10 April 2003	:	
Attorney Docket No.: 2005_1546A	:	
For: BIOLOGICAL INFORMATION	:	
MONITORING SYSTEM	:	

This decision is in response to applicant's submission filed 20 June 2006.

BACKGROUND

On 09 April 2004, applicant filed international application PCT/JP04/05130, which designated the United States and claimed a priority date of 10 April 2003. A copy of the international application was communicated to the United States Patent and Trademark Office (USPTO) from the International Bureau on 21 October 2004. The thirty-month period for paying the basic national fee in the United States expired at midnight on 11 October 2005 (10 October 2005 being a Federal holiday).

On 05 October 2005, applicants filed a transmittal letter for entry in to the national stage in the United States which was accompanied by, *inter alia*, the U.S. Basic National Fee, an assertion of small entity status, a declaration of inventors and a copy of a "NOTIFICATION OF CHANGE OF PERSON" apparently filed with the World Intellectual Property Organization (WIPO).

On 12 May 2006, a Notification was mailed indicating, *inter alia*, that the declaration filed 05 October 2005 does not list the inventorship set forth in the international application and that a Form PCT/IB/306 (NOTIFICATION OF THE RECORDING OF A CHANGE) from the International Bureau indicating that three inventors have been deleted does not appear in the file.

On 20 June 2006, applicant filed the instant submission which includes a copy of a Form PCT/IB/306 (NOTIFICATION OF THE RECORDING OF A CHANGE) from the International

Bureau indicating that three inventors have been deleted

DISCUSSION

In view of the Form PCT/IB/306 submitted by applicant, the declaration filed 05 October 2005 is in compliance with 37 CFR 1.497(a)-(b).

CONCLUSION

Please direct further correspondence with respect to this matter to Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.

This application is being forwarded to the National Stage Processing Branch of the Office of PCT Operations to continue national stage processing of the application.



Daniel Stemmer

PCT Legal Examiner

PCT Legal Affairs

Office of Patent Cooperation Treaty

Legal Administration

Telephone: (571) 272-3301

Facsimile: (571) 273-0459